



**MASSACHUSETTS DRINKING WATER PROGRAM
SDWA ASSESSMENT ADVISORY COMMITTEE
One Winter Street, Sixth Floor
Boston, Massachusetts 02108-4747**

Thomas Newton, Chair
Western Mass. Water Works Association
Superintendent, Easthampton Water Dept.

Jon Beekman
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Elizabeth Ainsley Campbell
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Executive Director
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Anthony Marques
New England Water Works Association
Director, Hudson DPW

David Baier
Mass. Municipal Association

Henry Papuga
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Manager, Milford Water Company

Lawrence Stepenuck
Rural Community Assistance Program
RHI, Inc.

Wayne Southworth
MassDEP Designee
Director, Easton DPW

Leo Potter
Environmental Agency B
Canoe River Aquifer Advisory Committee
Superintendent, Foxborough Water Dept.

Wendy Heiger-Bernays, Ph.D
Non-Community Systems
Mass. Association of Health Boards
Assistant Professor, Boston University

April 14, 2006

To: the Honorable Chairs and Members of the House and
Senate Ways and Means Committees & the Joint Committee
on the Environment, Natural Resources and Agriculture

On behalf of the Safe Drinking Water Act Assessment
Advisory Committee, I am pleased to send you this Annual
Report as required by M.G.L. Ch. 21A, s.18A. The report
describes how the Assessment was used to support the
Massachusetts Department of Environmental Protection's
Drinking Water Program during calendar year 2005.

The Assessment continues to support Massachusetts
primacy to administer the federal Safe Drinking Water Act.
Each person using public water contributes about 35 cents
per year to the Assessment through their public water system.

Please contact me if you have any questions regarding the
Annual Report to the Legislature for 2005. I can be reached
at the Easthampton Water Department at 413-529-1422.

Sincerely,

Thomas Newton, Chair



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SAFE DRINKING WATER ACT ASSESSMENT ADVISORY COMMITTEE
One Winter Street, Sixth Floor
Boston, Massachusetts 02108-4747

Annual Report for 2005

Background

In 1993 the Massachusetts legislature established the Safe Drinking Water Act (SDWA) Assessment (MGL Ch.21A, s.18A) to provide funding to help the Massachusetts Department of Environmental Protection (MassDEP) and public water systems meet increasing responsibilities under the federal SDWA. The legislation also included the formation of an Advisory Committee to help MassDEP implement the assessment and to report annually to the legislature on the status of the assessment program.

Maintaining primacy for SDWA implementation has enabled MassDEP to develop customized state programs that have saved public water systems, and consumers, hundreds of millions of dollars. The assessment for fiscal year 2006, totaling \$2.2 million, is expected to fund 20 staff positions at MassDEP. Each person using public water contributes about 35 cents per year to the assessment through their public water system.

The committee met to conduct business five times during 2005. During the year, the committee monitored the assessment program by hearing presentations by the managers of MassDEP's Water Management and Water Quality Assurance Programs as well as by MassDEP's Director of Budgetary and Legislative Affairs. The committee's meetings are open to the public.

Rate for State Fiscal Year 2007

At their September 2005 meeting, the members voted to recommend to MassDEP's Commissioner Robert Golledge that the assessment rate remain at \$8.50 per million gallons pumped for state fiscal year 2007. Commissioner Golledge agreed with the committee's recommendation and set the rate on September 27, 2005. The minimum bill, which is sent to 44% of the 1,714 public water systems in Massachusetts, remained at \$10.00.

Highlights of Work at MassDEP Funded by the Assessment

The assessment funds SDWA implementation at MassDEP. One of the highlights of work funded by the assessment during 2005 is the Lead in Schools Program. This program helps to protect the health of children by reducing exposure to lead in schools and daycare facilities. MassDEP offered workshops and technical assistance to schools, water departments, Boards of Health and plumbing inspectors and continues to work with the U.S. Environmental Protection Agency, the Mass. Department of Education and the Mass. Department of Public Health on this issue.

The assessment continues to fund the water quality monitoring waiver program and the filtration waiver program. These state programs have saved water systems and their customers hundreds of millions of dollars in monitoring and treatment costs while providing local protection of surface and ground water supplies. The assessment also funds Drinking Water Week and the annual awards program that recognizes exemplary water systems. The assessment provides a 1 to 1 match for the SDWA State Revolving Fund set-asides. Every assessment dollar, therefore, doubles in value.

Concerns of the Committee

With the loss of the assessment's dedicated fund in 2003, the committee remains concerned with ensuring that money collected from the assessment continues to be made available to Mass. DEP for its intended purpose – to implement the federal Safe Drinking Water Act. In addition, the committee supports water conservation efforts but is concerned that, as water use decreases, assessment revenues are declining. The assessment, which is currently set at \$8.50 per million gallons of water pumped, has a legislative cap of \$10 per million gallons.

Summary for 2005

The committee is satisfied that MassDEP is using the assessment funds to implement the federal Safe Drinking Water Act. This work helps public water systems supply good quality drinking water, protect public health and contribute to better water quality overall in the Commonwealth. For additional information about the SDWA Assessment Advisory Committee, please contact Tom Newton, Chair, at 413-529-1422.

SDWA Assessment Advisory Committee Members -- 2005

Name, Organization Represented, Affiliation, and Year of Appointment

Thomas Newton, Chair, *Western MA Waterworks Association*, Superintendent, Easthampton Water Dept., 2001
Jon Beekman, *Associated Industries of Massachusetts*, Director of Municipal Services, SEA Consultants, Inc., 1993
Elizabeth Ainsley Campbell, *Environmental Agency A*, Executive Director, Nashua River Watershed Association, 2002
Anthony Marques, *New England Water Works Association*, Director, Hudson DPW, 1994
Henry Papuga, *National Association of Water Companies*; Manager, Milford Water Company, 1998
Lawrence Stepenuck, *Rural Water Systems*, Regional Manager, Rural Community Assistance Program (RCAP), 1993
Wayne Southworth, *MassDEP Designee*, Director, Easton DPW, 1993
Konstantin Eliadi, *Mass. Water Works Association*, Director of Water Operations, Worcester DPW, 2005
Wendy Heiger-Bernays, *Non-community Systems*, Mass. Association of Health Boards & Assistant Professor, Boston University School of Public Health, 2005
Leo Potter, *Environmental Agency B*, Canoe River Aquifer Advisory Committee & Sup't. Foxborough Water Dept., 2005
David Baier, *Mass. Municipal Association*, 1993

Alternates

Ray Raposa, *Alternate for New England Water Works Association (NEWWA)*, Executive Director, NEWWA
Joseph Slattery, *Alternate for Western Mass. Water Works Association*, Southampton Water Department
Barry Woods, *Alternate for Rural Water Systems*, RCAP Solutions, Inc.
Carol Harris, *Alternate for Mass. Water Works Association (MWWA)*, Executive Director, MWWA

April 2006

MASSDEP ACCOMPLISHMENTS DIRECTLY SUPPORTED BY THE SDWA ASSESSMENT
Highlights Between January 1, 2005 and December 31, 2005

- Continued to save public water suppliers hundreds of millions of dollars by maintaining Safe Drinking Water Act (SDWA) Primacy.
- MassDEP reviewed 1,696 waiver applications and issued 260 volatile organic chemical waivers, 485 synthetic organic chemical waivers, and 590 inorganic chemical waivers for the current waiver period (2005-2007).
- Assisted 11 surface water suppliers with developing protection plans and surface water protection ordinances.
- Approved local wellhead protection controls for 54 large groundwater sources.
- Assisted with wellhead protection compliance at 92 public water sources.
- Approved 7 Wellhead Protection Plans.
- Approved final reports for 3 wellhead protection grant projects.
- Distributed TNC manuals and newsletters as requested.
- Maintained a free on-line template for systems to use in complying with Consumer Confidence Reporting.
- Continued to update web pages to improve access by public water systems.
- Developed a bulk upload tool that enables laboratories to submit drinking water quality results to MassDEP on-line.
- Continued to conduct compliance assistance activities for Statistical Reporting, Ground Water Under the Influence, Consumer Confidence Reporting, Cross Connection, and Certified Operator requirements.
- Worked with local, state and federal officials on security issues and training.
- Maintained electronic publishing and access for the quarterly *In the Main* newsletter.
- Published 4 issues of *In the Main*, covering repackaging of treatment chemicals, permit fee revisions, bulk water vendors, changes to MassDEP web page, small system loans, flushing, the impact of farming, cross connection control, the Water Management Act, responding to bacteria detections, theft of water from hydrants, lead in schools, precipitation levels, LT2, operator training reimbursements, daycare evaluation project, storage tank sampling, sub-metering, POE/POU devices, subcontracting of laboratory services, eDEP, lead-free designated faucets, asbestos cement pipe, arsenic rule changes, CCRs, and a special TNC issue covering system maintenance, CCRs, certified operators, metering, compliance, cross connections, sanitary surveys, and other guidance.
- Notified all community water systems of Consumer Confidence Report (CCR) requirements for 2005.
- Mailed out CCR reminder postcards.
- Reviewed 518 CCRs and provided Technical Assistance Reports on them.
- Tracked CCR compliance.
- Provided CCRs for all (940) Transient Non-Community Systems (TNCs).
- Provided materials for statewide Board of Health workshops as requested.
- Participated in Executive Office of Environmental Affairs' Water Budget project, Resource Damages Project, and Water Supply Protection Grant Program.
- Worked with State Geologist and United States Geological Survey on topics of mutual interest.
- Prepared media advisories for statewide media outlets on a variety of public interest activities including Drinking Water Week and the Drought Task Force.
- Issued 39 Drinking Water compliance awards during 2005 Drinking Water Week.
- Contracted for filming and indexing 2004 Statistics Reports and town records.
- Approved 70 new Operator Certification training programs (20 available on-line) for training contact hour credit.
- Registered 31 new systems that were previously unregulated.
- Provided instructors for New England Water Works Association (NEWWA) Bedrock Well Courses.
- Provided instructor for Cross Connection Control Program (CCCP) workshops.
- Provided instructor for 12 NEWWA CCCP Course (Backflow Test and CC Survey).
- Performed 5 CCCP Audits resulting in the issuance of 3 NONs.
- Planned and implemented 3 CCCP Annual Workshops.
- Issued 222 Cross Connection Certificates.
- Provided CCCP technical assistance to 286 individuals/cities/towns.
- Processed 51 BRP WS06 (A-B-C-D) applications.
- Revised policy guidance to protect the waters of the Commonwealth and to better achieve the goal of balancing competing water uses.

**MASSDEP ACCOMPLISHMENTS PARTLY OR INDIRECTLY SUPPORTED BY THE SDWA ASSESSMENT
Highlights Between January 1, 2005 and December 31, 2005**

- Worked to streamline sanitary surveys and comprehensive performance evaluations through piloting a computer tablet to collect survey data.
- Continued to offer free training programs for small system operators through EPA Grant.
- Continued the implementation of the Capacity Development Program, which concentrates on providing financial, managerial and technical assistance to small water suppliers. Performed 168 capacity reviews. Through contracting with the Massachusetts Coalition for Small System Assistance, the following services were provided: 8 group training sessions; 137 site visits; and 15 mentoring sessions.
- Conducted annual inspections at all ten of the public surface water sources that have waivers from filtration.
- Participated in the State Vegetation Management Panel for Mass. Department of Agricultural Resources.
- Participated in NEWWA Source Water Advisory Group.
- Participated in the Multi-Agency Task Force on Schools.
- Participated on the National Drinking Water Advisory Council Small Systems Implementation Working Group.
- Participated on the MassDEP Laboratories Advisory Committee.
- Participated in the Mass. Water Works Association (MWWA) Technical Advisory Committee.
- Participated in the NEWWA Groundwater Advisory Committee.
- Participated in the NEWWA Groundwater Resource Initiative.
- Participated in the N.E. Interstate Groundwater & Underground Injection Control (UIC) Managers meetings.
- Participated on the EPA working groups for Anti-terrorism, System Vulnerability, Enhanced Surface Water Treatment Rule, Disinfection Byproducts Rule, Data Sharing Committee, Ground Water, Public Notification, Unregulated Contaminant Monitoring. Participation on these committees places MA interests in consideration at the national level.
- Participated in establishing guidelines and uniformity in cross connection programs throughout New England. as a member of the NEWWA Board of Certification of Backflow Prevention and Cross Connection Control.
- Staff served on the NEWWA Drinking Water Operators Certification Committee which provides a forum for discussion of operator certification issues for all of the New England states.
- The annual operator certification report was submitted to EPA and received EPA approval.
- Ongoing efforts to integrate the UIC database with other MassDEP groundwater discharge permit program databases.
- Provided UIC presentations to public water suppliers, plumbing inspectors, boards of health, conservation commissions and other local officials.
- Coordinated with the Massachusetts Plumbing Board regarding cross connection responsibilities of public water systems and requirements of the UIC Program. Commented on relevant Plumbing Board regulations.
- Conducted 751 Underground Injection Control inspections and issued 178 notices of noncompliance (NON). Returned 158 unauthorized Class V wells to compliance and assisted 62 locations into voluntary compliance.
- Provided technical assistance about the UIC Program to MassDEP staff conducting multi-media inspections.
- Submitted draft final UIC Primacy package to EPA and received final comments from EPA.
- The Drinking Water Program issued: 490 Notices of Noncompliance, 26 Unilateral Orders, 26 non-penalty Administrative Consent Orders, 18 Administrative Consent Orders with penalties, and 7 Penalty Assessments.
- Issued 8 Water Management Act Permits and 3 Permit Amendments and completed 35 Five-year Reviews.
- Participated in the Office of State Geologist State Mapping Advisory Committee.
- Provided comments on MassDEP Bureau of Waste Site Cleanup regulations & policy development for drinking water protection.
- Redelineated 31 Zone II areas to include their entire Zone I areas.
- Developed guidance for systems subject to MassDEP Best Effort Requirement for wellhead protection.
- Reviewed technical justification by Licensed Site Professionals (LSP) for three Zone II redelineation requests.
- Provided hydrogeologic expertise to LSP Board to support investigations.
- Conducted preliminary water resources investigations of communities dependent on bedrock wells in I-495 belt.
- Developed a ground water model to begin evaluating the safe yield of the Plymouth-Carver Aquifer.